

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William J. Wiseman, III, Esquire
TO Assistant County Solicitor Date September 3, 1982
FROM James E. Dyer
Zoning Supervisor *JED*
SUBJECT Case No. R-82-63
William Black
Affidavit in Support of Summary Judgment

As requested, I have signed the Affidavit in Support of Summary Judgment and am returning same herewith along with the other documents in the suit to be filed in the District Court by you in the above-entitled matter.

Thank you.

JED:nr

Enclosure: Suit Papers, Baltimore County, Maryland Vs. William Black

cc: Mr. William E. Hammond
Zoning Commissioner

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner

42-1998
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

James E. Dyer
TO Zoning Supervisor Date September 1, 1982
FROM Offi. of Law
SUBJECT William Black R-82-63
Zoning Re-Classification

Attached is a suit to be filed in the above matter. Please sign the Affidavit in Support of Summary Judgment on the reverse side of same and return to the undersigned for filing in the District Court.

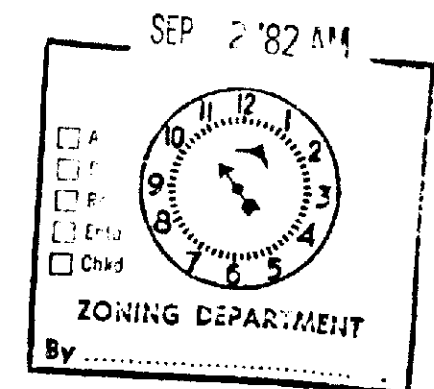
If you have any questions concerning same, contact Barry Butanis at 494-2417.

Thank you.

William J. Wiseman III
William J. Wiseman, III
Assistant County Solicitor SC

WJW:BB:sc

Att.



PETITION FOR ZONING RE-CLASSIFICATION
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an RC-2 & R.L.-I.M. to an DR-5.5, and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property on three sides of this applicant's property is MH-1M. Applicant's property was Zoned MH-1M prior to present zoning of RC-2.

The property under petition is now at a level of 20'. The present level of Chesaco Park is a prevailing level of 20'. At the present time the new overhead bridge at Chesaco Avenue overcomes access to property. Sewage and water have been updated and are consistent with the anticipated growth of Chesaco Park and its environs.

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning Regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

LEGAL OWNER

WILLIAM BLACK

(Type or Print Name)

Signature

4401 Newgate Ave

Address

Baltimore, Md

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.

9, Md. 1 12 85

BALCO-Petition No. 1179
4/2/81

Legal Owner(s):

William Black

(Type or Print Name)

Signature

4401 Newgate Ave

Address

Baltimore, Md

City and State

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

WILLIAM BLACK

Name

4401 Newgate Ave

Address

Baltimore, Md

City and State

Phone No.

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. William Black
4401 Newgate Avenue
Baltimore, Maryland 21224

RE: Item No. 3 (Cycle 1 - April-Oct. 1981)
Petitioner - William Black
Reclassification Petition

Dear Mr. Black:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the 1st 1980-81 zoning cycle.

The petition has been reviewed by the Zoning Office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee.

The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition focus, descriptions, briefs, and the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office before May 29th. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

This currently vacant property, consisting of 18.4 acres zoned in its majority R.C.2 with a small portion zoned M.L.-I.M., is located at the northerly end of Philadelphia Avenue approximately 122 feet north of Potomac Avenue in the 15th Election District. The property is surrounded by the Windlass Freeway and the Pennsylvania Railroad to the north and west, while industrial land and individual dwellings exist to the south-east and south, respectively.

Because of your proposal to rezone this property to a D.R.5.5 zone, this reclassification petition is required. In requesting a reclassification

Item No. 3 (Cycle 1 - April-Oct. 1981)
William Black
Reclassification Petition
April 29, 1981

Location of land zoned R.C. to a zone other than R.C., Section 1400.3 of the zoning regulations indicates that public water and sewer must be available to the site or become available within two years from the date the petition is submitted. Since public water and sewer exist in Potomac Avenue, it is the position of this office that this requirement is satisfied.

The submitted petition forms must be changed by you to indicate the existing M.L.-I.M. zoning. In addition, it is indicated that the property is to be used for "residential housing". Unless the forms are altered to delete this proposal, the site plans must comply in all respects with Bill 46-79. In particular, this would involve a detailed site plan showing the proposed development and an environmental impact statement. In view of the fact that a portion of this property is comprised of marshland, particular attention should be afforded to the comments of the Department of Permits and Licenses and the Health Department.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between September and December of 1981, will be forwarded to you in the future.

Very truly yours,

NICHOLAS B. CONNOR
Chairman
Zoning Plans Advisory Committee

NEC:bac

Enclosures

cc: Gerhold, Cross & Etzel
112 Delaware Avenue
Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, Jr.
DIRECTOR

March 31, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Court House
Towson, Maryland 21204

Re: Item #3 (Cycle 1 - April-October 1981)
Property Owner: William Black
S/S Conrail R.R. on S/S Windlass Freeway & N/E
end of Philadelphia Ave.
Existing Zoning: R.C. 2
Proposed Zoning: D.R. 5.5
Acres: 18.40 District: 15th

Dear Mr. Reiter:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Windlass Boulevard (Md. 695) is a State Road; therefore, all improvements, inter sections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Philadelphia and Potomac Avenues, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way with fillet areas for sight distance at the intersection.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

A tributary to Northeast Creek traverses this property. A berm has been established, with filled material placed over a period of time inboard thereof, on this site.

Item #3 (Cycle 1 - April-October 1981)
Property Owner: William Black
Page 2
March 31, 1981

Storm Drains: (Cont'd)

As indicated, this property contains some marshy areas, and is subject to the effects of tidal actions.

The property to be developed is located adjacent to Northeast Creek. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor levels (including basements) of residential and commercial developments and other special construction features are required.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There is an 8-inch public water main and 8-inch public sanitary sewerage in Potomac Avenue. Additional fire hydrant protection is required in the area.

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley
William Munchel

1-SW Key Sheet
6 & 7 NE 23 & 24 Pos. Sheets
NE 2P Topo
96 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3204

NORMAN E. GERDER
DIRECTOR

April 14, 1981

Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
Room 219 - Court House
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #3, Zoning Cycle I, April, 1981, are as follows:

Property Owner: William Black
Location: SW/S Conrail RR on S/S Windlass Freeway & N/E end of Philadelphia Avenue
Existing Zoning: RC-2
Proposed Zoning: D.R.5.5
Acres: 18.40
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

If the petition is granted, the owner must comply with the Baltimore County Subdivision Regulations as contained in Title 22 of the Baltimore County Code.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

baltimore county
department of public engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

March 30, 1981

Mr. Walter A. Reiter, Jr.
Chairman, Board of Appeals
Office of Law
Court House
Towson, Maryland 21204

ITEM No. 3 - ZAC - Meeting of March 16, 1981
PROPERTY OWNER: William Black
LOCATION: SW/S Conrail R.R. on S/S Windlass Freeway
& NE/end of Philadelphia Avenue
EXISTING ZONING: R. C. 2
PROPOSED ZONING: D. R. 5.5
ACRES: 18.40
DISTRICT: 15th

Dear Mr. Reiter:

The existing DR 2 zoning can be expected to generate approximately 35 trips per day and the proposed DR 5.5 zoning can be expected to generate approximately 1,060 trips per day.

This site is serviced by poor roads and another means of access to the area should be provided before development.

Very truly yours,

Michael S. Flanigan
Engineer Associate II

SEF/bza

April 2, 1981

Mr. Walter Reiter, Chairman
Board of Appeals
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Cycle I, #3, Zoning Advisory Committee Meeting of
March 16, 1981, are as follows:

Property Owner: William Black
Location: SW/S Conrail R.R. on S/S Windlass Freeway
& N/E end of Philadelphia Avenue
Existing Zoning: R.C. 2
Proposed Zoning: D.R. 5.5
Acres: 18.40
District: 15th

Metropolitan water and sewer must be extended to serve the property.
The owner must contact Wetlands Permits Division, Water Resources Administration
and Army Corps of Engineers to have the limits of the tidal wetlands
identified. No construction, grading or filling will be allowed in the areas
identified as tidal wetlands.

The zoning plan as submitted, does not contain sufficient information;
therefore, the Baltimore County Department of Health cannot make complete com-
ments.

Very truly yours,
Jan A. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF:mg

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Walter Reiter
Board of Appeals Chairman
Date: March 27, 1981
FROM: Mr. Charles E. Burnham
Plans Review Chief - Permits and Licenses
SUBJECT: Cycle I - 1981
Re: Zoning March 24, 1981
PROPERTY OWNER: William Black
LOCATION: SW/S Conrail R.R. on S/S Windlass Freeway & N/E end of Phila. Ave.
EXISTING ZONING: R.C. 2
PROPOSED ZONING: D.R. 5.5
ACRES: 18.40
DISTRICT: 15th
ITEM NO. 3

It appears this property lies in an area subject to tidal inundation.
As such Section 319.0 of Bill 199-73 limits constructions to the extent that all
floor levels including basements are required to be 1'-0" above the flood tide.
This total elevation is usually referred to as elevation 10'-0" (2'-0" tide +
1' ft. above = ELEV. 10')

Permits are required as well as compliance to all applicable codes
when planning construction, actual elevations could be indicated on the plans to
allow a more informative comment.

NOTE: All comments are based on data provided on site plan and data
provided by the Zoning Advisory Committee.
Comments in many cases cannot be more specific or advisory due to
the limited information.

Charles E. Burnham
Plans Review Chief

CEB:rrj

CC: Nick Cosmodari

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Walter A. Reiter, Jr., Chairman
Board of Appeals
Date: April 6, 1981
FROM: Sharon Caplan
Economic Development Commission
SUBJECT: Zoning Advisory Committee
Reclassification Petitions
Item No. 3-- Property Owner: William Black
Location: SW/S Conrail R.R. on S/S Windlass Freeway
& N/E end of Philadelphia Avenue
Existing Zoning: R.C. 2
Proposed Zoning: D.R. 5.5
Item No. 4-- Property Owner: Chesapeake Park, Inc.
Location: SW/Corner Eastern Blvd. & Wilson Point Road
Existing Zoning: MH-1M
Proposed Zoning: BM-1M

In recognition of Baltimore County's desire to foster a healthy economic
growth, we request the zoning officer to evaluate the above requests in
the best interest of industrial expansion.

Sharon Caplan
SHARON CAPLAN

SC:pk

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 23, 1981

Mr. Walter Reiter
Chairman, Board of Appeals
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Zoning Cycle #1 March 16, 1981

PE: Item No. 3
Property Owner: William Black
Location: S/W Conrail R.R. on S/S Windlass Freeway & N/E end of Phila. Ave.
Present Zoning: R.C. 2
Proposed Zoning: D.R. 5.5

School Situation Sept. 1980

School	Enrollment	Capacity	Over/Under
Rosedale El.	383	656	-273
Golden Ring Junior	1070	1044	+ 26
Overlea Senior	1361	1570	-209

Student Yield With:	Existing Zoning	And	Proposed Zoning
Elementary	3		84
Junior High	1		41
Senior High	0		14

Very truly yours,
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

IN THE MATTER OF: : BEFORE :
Petition for reclassification : :
SW/S of Conrail Railroad on the : : COUNTY BOARD OF APPEALS
S/S of Windlass Freeway and NE/end : : OF
of Philadelphia Avenue : :
15th District : : BALTIMORE COUNTY
William Black, Petitioner : :
Case No. R-82-63, Item #3, Cycle I : :

OPINION

This case comes before the Board on a request for a reclassification
from R.C. 2 and M.L.-1.M. zoning to D.R. 5.5 on a parcel of land containing 18.4
acres located in the 15th Election District of Baltimore County on the southwest side of
the Conrail Railroad on the south side of Windlass Freeway.

The case was opened for hearing at 10:35 a.m., 35 minutes after its
scheduled opening. Neither Petitioner nor any representative of Petitioner was present.
No communication was received from Petitioner regarding this. The record should indicate
that all proper posting had taken place, all proper notices had been issued, and a letter
specifically citing this case was sent to Petitioner on August 18, 1981. Motion was made
by the People's Counsel that the case be dismissed for non-appearance. The Board will
grant this motion.

ORDER

For reasons set forth above, it is this 10th day of September, 1981,
by the County Board of Appeals, ORDERED that the requested reclassification be hereby
DISMISSED for non-appearance of the Petitioner or any representative thereof.
Any appeal from this decision must be in accordance with Rules B-1
thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Forchuck
William T. Forchuck, Chairman
Leroy B. Spurrier
Patricia Phipps

Hearing Attendance Sheet

September 9, 1981

Case No. R-82-63 - Black

Name Address Tel. No.

1. Beverly G. Cook 303 Potomac Ave. 686-8297

2. Anne C. Horner 686-5205

3. Leon P. Parnes 8017 Edgewater Ave. 686-2452

4. Harry Nickerson 102 Chestnut Ave. 391-4252

5. Susan C. Meyer 526 Potomac Ave. 687-1493

6. Beverly Suchy 601 Potomac Ave. 391-2074

7. Pamela E. Parnes 600 Gahagan Ave. 574-4352

8. Margaret Buty 8120 Walnut Ave. 686-4917

9-10 Nelson + Debbie Buty 101 Aspenwood Way 574-3325

11-12 Paul + John Swoloda 8110 Sumter 686-8428

13, 14, 15 Steve King + Kelly Butler 1072 Sumter 391-9132

16 Rita Starchan 415 Potomac Ave. 687-0513

17 Helen Ann Fox 417 Potomac Ave. 687-3664

18 David J. Taylor 8107 Linden Ave. 574-5746

21 Beverly G. Cook 303 Potomac Ave. 686-8297

22 Thomas L. Buty 303 Potomac Ave. 686-8297

23 Louis A. Parnes 301 Potomac Ave. 686-4412

24 William J. Parnes 301 Potomac Ave. 686-4412

25 Bill Pembroke 205 Chestnut Ave. 391-6342

26 Clarence W. Parnes 449 Gahagan Ave. 687-8070

IN THE MATTER OF: : BEFORE :
Petition for reclassification : :
SE/S Pennsylvania Railroad r/w and : : COUNTY BOARD OF APPEALS
Windlass Freeway; W/S of Northeast : : OF
Creek; at the end of Locust Ave. : : BALTIMORE COUNTY
15th District : :
William Black, Petitioner : :
Case No. R-82-63, Item #3, Cycle I : :

SUBPOENA

Mr. Clerk: : COST \$:
Please issue summons to: :
Michael S. Flanagan :
Dept. of Traffic Engineering :
County Courts Building :
Towson, Md. 21204 :
Gregory Jones :
Dept. of Traffic Engineering :
County Courts Building :
Towson, Md. 21204 :
Robert F. Forster :
Dept. of Traffic Engineering :
County Courts Building :
Towson, Md. 21204 :
to appear in person at the hearing scheduled by the Baltimore County Board of Appeals
on Wednesday, September 9, 1981 at 10 a.m. in Room 218, Courthouse, Towson,
Maryland, to testify on behalf of the People's Counsel for Baltimore County, and make same
returnable on Wednesday, September 9, 1981 at 10 a.m.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel for Baltimore County
Room 223, Courthouse
Towson, Maryland 21204
494-2188

Please serve this summons in accordance with the above.

Edith T. Eitenhan, Adm. Secretary
County Board of Appeals of Baltimore County

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
from R.C. 2 to D.R. 5.5 Zone
SW/S Conrail R.R. on S/S
Windlass Freeway & NE end of
Philadelphia Ave., 15th District : OF BALTIMORE COUNTY

WILLIAM BLACK, Petitioner : Case No. 82-63-R (Item 3, Cycle 1)

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 6th day of August, 1982, a copy of the foregoing Order was mailed to Mr. William Black, 4401 Newgate Avenue, Baltimore, Maryland 21224, Petitioner.

John W. Hession, III

Mr. William Black
4401 Newgate Avenue
Baltimore, MD 21224

August 17, 1982

NOTICE OF HEARING

RE: Petition for Reclassification
SW/S of Conrail Railroad on S/S of Windlass Freeway
and NE/end of Philadelphia Avenue
Case #R-82-63
Item #3 - Cycle 1

TIME: 10:00 A.M.

DATE: Wednesday, 9/8/81

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

September 3, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
CC: Walter Reiter-Chairman of Board of Appeals
Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: William Black

Location: SW/S Conrail R.R. on S/S Windlass Freeway & N/E end of Philadelphia Avenue.
Item No.: No. 3
Gentlemen: Revised Comments
Zoning Agenda: Meeting of March 16, 1981

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (x) 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: C.E. Joseph, Jr. Noted and Approved: _____
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

PETITION FOR RE-CLASSIFICATION
15th DISTRICT

ZONING: Petition for Re-classification
LOCATION: Southwest side of Conrail Railroad on South side of Windlass Freeway and Northeast end of Philadelphia Avenue

DATE & TIME: Wednesday, September 9, 1981 at 10:00 A.M.

PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

President Zoning R.C. 2 & M.L. - I.M.
Proposed Zoning: D.R. 5.5

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of William Black as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, September 9, 1981 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 5, 1981

Mr. William Black
4401 Newgate Avenue
Baltimore, Maryland 21224

RE: Petition for Re-classification
SW/S Conrail Railroad on S/S of Windlass Freeway
and NE end of Philadelphia Ave.
Case #R-82-63 Item #3

Dear Mr. Black:
This is to advise that _____ is due for the 2nd full page add of the cycle 1 billing. You have already been billed for the 1st full page add as well as for the individual posting and advertising of this property. All bills must be paid before an order is issued. This is your final bill.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland, 21204, as soon as possible.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH:klr

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 3, 1981

Mr. William Black
4401 Newgate Avenue
Baltimore, MD 21224

RE: Petition for Re-classification
SW/S Conrail Railroad on S/S of Windlass
Freeway & NE/end of Philadelphia Road
Case #R-82-63

Dear Mr. Black:

This is to advise you that \$102.68 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

494-3180

County Board of Appeals
Room 21, Court House
Towson, Maryland 21204
September 10, 1981

Mr. William Black
4401 Newgate Ave.
Baltimore, Md. 21224

Re: Case #R-82-63
Item #3 - Cycle 1
William Black

Dear Mr. Black:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen, Secretary

Encl.

cc: J. W. Hession, Esq.
W. E. Hammond
J. E. Dyer
N. Gerber
J. Hoswell
Bd. of Education
Ms. Valerie Dobbins
Mr. Norman Evans
Mrs. Gerry Nickerson

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 30, 1981

Mr. William Black
4401 Newgate Avenue
Baltimore, Maryland 21224

RE: Item No. 3 - Cycle No. 1
Petitioner - William Black
Reclassification - Petition

Dear Mr. Black:

This is to advise you that \$77.15 is due for the first advertising of the above property. Two additional bills will be forwarded to you in the near future. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

BALTIMORE COUNTY
REVENUE DIVISION
JUNE CASH RECEIPT

No. 096973

DATE: 9/10/81 ACCOUNT: 01-662

AMOUNT: \$77.15

RECEIVED FROM: William Black
FOR: 1st Advertising of Item #3, Cycle #1

6-17-81 7 77.15

VALIDATION OR SIGNATURE OF CASHIER

CARL L. GERHOLD
PHILIP K. CROSS
JOHN F. EITZEL
WILLIAM G. T. JORDAN
GORDON T. LANGDON

GERHOLD, CROSS & EITZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

March 6, 1981

Zoning Description

All that piece or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point on the southeast right of way line of the Pennsylvania Railroad (now called Conrail) and at the northeast end of Philadelphia Avenue as shown on the Plat of Plan D Chesaco Park which plat is recorded among the Plat Records of Baltimore County in 11st Book W.P.C. No. 6 folio 164, said place of beginning being at the distance of 122 feet measured northeasterly along the southeast right of way line of said railroad from a point in line with the center of Potomac Avenue as shown on a plat and running thence and binding on the southeast right of way line of said railroad, northeasterly by a line curving toward the left having a radius of 6651.12 feet for an arc distance of 684.57 feet (the chord of said arc bearing North 43 degrees 45 minutes 59 seconds East 684.29 feet) to the southernmost right of way line of Windlass Freeway, thence binding on the southernmost right of way line of Windlass Freeway, the six following lines viz: North 77 degrees 25 minutes East 220.19 feet, North 76 degrees 58 minutes 40 seconds East 41.69 feet, North 75 degrees 50 minutes East 56.11 feet, North 60 degrees 10 minutes East 126.35 feet, northeasterly by a line curving toward the left having a radius of 2109.86 feet for an arc distance of 700.23 feet (the chord of said arc bearing North 51 degrees 51 minutes 12 seconds East 697.02 feet and North 41 degrees 09 minutes 12 seconds East 87.61 feet) to the waters of Northeast Creek, thence binding on the waters of said creek, the four following courses and distances viz: South 16 degrees 00 minutes East 37.45 feet, South 7 degrees 30 minutes East 132.00 feet, South 10 degrees 30 minutes East 198 feet and South 15 degrees 43 minutes West 69.91 feet, thence leaving said creek and crossing a marsh there situate, the four following courses and distances viz: South 35 degrees 07 minutes West 110.78 feet, South 23 degrees 01 minute West 482.30 feet, North 66 degrees 56 minutes West 275.00 feet and South 23 degrees 01 minute West 361.43 feet, thence leaving said marsh and running the four following courses and distances viz: North 60 degrees 31 minutes East 130.40 feet, South 29 degrees 29 minutes West 79.83 feet, North 60 degrees 31 minutes East 104.19 feet and South 29 degrees 29 minutes West 325.17 feet and thence running parallel with and distant 100 feet measured northeasterly at right angles from the northeast side of Potomac Avenue, North 60 degrees 31 minutes East 570.60 feet to the place of beginning.

Containing 18.40 Acres of land more or less.



CARL L. GERHOLD
PHILIP K. CROSS
JOHN F. EITZEL
WILLIAM G. T. JORDAN
GORDON T. LANGDON

GERHOLD, CROSS & EITZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

March 6, 1981

Reasons for the request for reclassification from RC 2 to DR 5.5 of 18.40 Acres located on the southwest side of the Conrail Railroad on the southernmost side of Windlass Freeway and at the northeast end of Philadelphia Avenue in Chesaco Park:

- 1) The property is not located in a rural area and is too small to be used as a farm.
- 2) This is the only property in this area with an RC 2 classification.
- 3) The property adjoining on the southwest is zoned DR 5.5 and the greater part of this property is suited to this classification.
- 4) Public Sewer and Water are available for this property.

I feel that an error was made on the zoning map when this property was zoned RC 2.

OFFICE COPY

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

September 3, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
CC: Walter Reiter-Chairman of Board of Appeals
Attention: Nick Comodori, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: William Black

Location: SW/S Conrail R.R. on S/E Windlass Freeway & N/E end of Philadelphia Avenue.
Item No.: No. 3
Zoning Agenda: Meeting of March 16, 1981
Gentlemen: Revised Comments

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (x) 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *John J. Kelly* Noted and Approved: *John J. Kelly*
Special Inspection Division Fire Prevention Bureau

/mb

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM F. HAMMOND
ZONING COMMISSIONER

November 12, 1981

Mr. William Black
4401 Newgate Avenue
Baltimore, MD 21224

RE: Petition for Re-classification
SW/S Conrail Railroad on S/E of Windlass
Freeway and NE end of Philadelphia Ave.
Case #R-82-63 Item #2

Dear Mr. Black:

In regard to the above captioned, there are still two (2) unpaid bills which were forwarded to you September 3, 1981 and October 5, 1981, copies of which are attached hereto. In the event these bills are not paid by December 14, 1981, we will forward same to the Baltimore County Solicitor's Office for collection.

If you have any questions concerning these bills, please contact me at 494-3350.

Very truly yours,

James E. Dyer
Zoning Supervisor

JED:klr

Attachments

Room 218, Courthouse,
Towson, Maryland
The County Board of
Appeals for Baltimore
County, by authority of
the Baltimore County
Charter will hold a public
hearing:
Present Zoning: RC 2 &
M.L.M.
Proposed Zoning: DR 5.5
All that parcel of land in
the Fifteenth District of
Baltimore County
Beginning for the same at a
point on the southeast
right of way line of the
Pennsylvania Railroad
(now called Conrail) and at
the northeast end of Philadelphia
Avenue as shown on the
Plat of Plan D Chesaco
Park which plat is recorded
among the Plat Records of
Baltimore County in 11st
Book W.P.C. No. 6 folio 164,
said place of beginning being
at the distance of 122 feet
measured northeasterly
along the southeast right of
way line of said railroad, nor-
theasterly by a line curving
toward the left having a ra-
dius of 6651.12 feet for an
arc distance of 684.57 feet
(the chord of said arc bear-
ing North 43 degrees 45 mi-
nutes 59 seconds East 684.29
feet) to the southernmost
right of way line of Windlass
Freeway, thence binding on
the southernmost right of way
line of Windlass Freeway, the
six following lines viz: North
77 degrees 25 minutes East
220.19 feet, North 76 degrees
58 minutes East 41.69 feet,
North 75 degrees 50 minutes
East 56.11 feet, North 60 de-
grees 10 minutes East 126.35
feet, northeasterly by a line
curving toward the left hav-
ing a radius of 2109.86 feet
for an arc distance of 700.23
feet (the chord of said arc
bearing North 51 degrees 51
minutes 12 seconds East 697.02
feet and North 41 degrees 09
minutes East 87.61 feet) to
the waters of Northeast Creek,
thence binding on the waters
of said creek, the four follow-
ing courses and distances viz:
South 16 degrees 00 minutes
East 37.45 feet, South 7 de-
grees 30 minutes East 132.00
feet, South 10 degrees 30 mi-
nutes East 198 feet, South 15
degrees 43 minutes East 69.91
feet, thence leaving said creek
and crossing a marsh there sit-
uate, the four following courses
and distances viz: South 35 de-
grees 07 minutes West 110.78
feet, South 23 degrees 01 mi-
nute West 482.30 feet, North
66 degrees 56 minutes West
275.00 feet and South 23 de-
grees 01 minute West 361.43
feet, thence leaving said marsh
and running the four following
courses and distances viz: North
60 degrees 31 minutes East
130.40 feet, South 29 degrees
29 minutes West 79.83 feet,
North 60 degrees 31 minutes
East 104.19 feet and South 29
degrees 29 minutes West 325.17
feet and thence running paral-
lel with and distant 100 feet
measured northeasterly at right
angles from the northeast side
of Potomac Avenue, North 60
degrees 31 minutes East 570.60
feet to the place of beginning.
Containing 18.40 Acres of land
more or less.
Being the property of
William Black as shown on
plat filed with the Zoning
Department.
Hearing Date: Wednes-
day, September 8, 1981 at
10:00 A.M.
Public Hearing Room,
218 Courthouse, Towson,
Maryland.
BY ORDER OF
William T. Mackett
Chairman
County Board of Appeals
of Baltimore County

The Times

Middle River, Md., August 20 1981
This is to Certify, That the annexed

was inserted in The Times, a newspaper printed
and published in Baltimore County, once in each
of one successive
weeks before the 20th day of
August, 1981
James E. Dyer Publisher.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Barry Butanis, Office of Law
December 18, 1981
TO: _____
FROM: James E. Dyer
SUBJECT: Collection of unpaid bills
William Black - Petitioner
Our Case #R-82-63
SW/S Conrail Railroad on S/s of Windlass Freeway and
NE end of Philadelphia Avenue

Per your conversation December 14th with Karen Riegel, I am forward-
ing copies of unpaid bills and letters requesting payment on the above case.

Please be advised that Mr. Black claims he remembers paying the
larger of the two bills, but has not provided Mrs. Riegel with either a copy of
the cancelled check or a copy of the cash receipt. (Note: Mrs. Riegel spoke
with Mr. Black in the office, presented him copies of the attached letter dated
November 12, 1981 as well as copies of the two bills, and verbally advised Mr.
Black that this matter would be forwarded to the office of law if payment was not
received or receipts were not provided to this office.)

Therefore, I am hereby requesting your office to proceed with legal
action to collect these outstanding bills.

JED:klr

cc: William Black
4401 Newgate Avenue
Baltimore, Maryland 21224



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

December 18, 1981

WILLIAM F. HAMMOND
ZONING COMMISSIONER

Mr. William Black
4401 Newgate Avenue
Baltimore, Maryland 21224

RE: Petition for Re-classification
Case #R-82-63

Dear Mr. Black:

I am attaching herewith a copy of a memo dated December 18, 1981,
wherein the above case was forwarded to the Office of Law for collection of
unpaid bills.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

James E. Dyer
James E. Dyer
Zoning Supervisor

JED:klr

Attachment

PETITION FOR
RECLASSIFICATION
15TH DISTRICT
ZONING: Petition for Re-classi-
fication
LOCATION: Southwest side of Con-
rail Railroad on S/S of Windlass
Freeway and NE end of Philadel-
phia Avenue
DATE & TIME: Wednesday, Sep-
tember 8, 1981 at 10:00 A.M.
PUBLIC HEARING: Room 218
County Courthouse, Towson, Maryland
The County Board of Appeals for
Baltimore County, by authority of
the Baltimore County Charter will
hold a public hearing:
Present Zoning: RC 2 & M.L.M.
Proposed Zoning: DR 5.5
All that parcel of land in the Fif-
teenth District of Baltimore County
Beginning for the same at a point
on the southeast right of way line
of the Pennsylvania Railroad
(now called Conrail) and at the
northeast end of Philadelphia Ave-
nue as shown on the Plat of Plan
D Chesaco Park which plat is re-
corded among the Plat Records of
Baltimore County in 11st Book
W.P.C. No. 6 folio 164, said place
of beginning being at the distance
of 122 feet measured northeasterly
along the southeast right of way
line of said railroad from a point
in line with the center of Potomac
Avenue as shown on a plat and run-
ning thence and binding on the
southeast right of way line of said
railroad, northeasterly by a line
curving toward the left having a
radius of 6651.12 feet for an arc
distance of 684.57 feet (the chord
of said arc bearing North 43 de-
grees 45 minutes 59 seconds East
684.29 feet) to the southernmost
right of way line of Windlass Fre-
eway, thence binding on the south-
ernmost right of way line of Wind-
lass Freeway, the six following
lines viz: North 77 degrees 25 mi-
nutes East 220.19 feet, North 76
degrees 58 minutes East 41.69
feet, North 75 degrees 50 minutes
East 56.11 feet, North 60 degrees
10 minutes East 126.35 feet, nor-
theasterly by a line curving toward
the left having a radius of 2109.86
feet for an arc distance of 700.23
feet (the chord of said arc bearing
North 51 degrees 51 minutes 12
seconds East 697.02 feet and North
41 degrees 09 minutes East 87.61
feet) to the waters of Northeast
Creek, thence binding on the waters
of said creek, the four following
courses and distances viz: South
16 degrees 00 minutes East 37.45
feet, South 7 degrees 30 minutes
East 132.00 feet, South 10 degrees
30 minutes East 198 feet, South 15
degrees 43 minutes East 69.91 feet,
thence leaving said creek and cross-
ing a marsh there situate, the four
following courses and distances viz:
South 35 degrees 07 minutes West
110.78 feet, South 23 degrees 01
minute West 482.30 feet, North 66
degrees 56 minutes West 275.00 feet
and South 23 degrees 01 minute
West 361.43 feet, thence leaving
said marsh and running the four
following courses and distances viz:
North 60 degrees 31 minutes East
130.40 feet, South 29 degrees 29
minutes West 79.83 feet, North 60
degrees 31 minutes East 104.19 feet
and South 29 degrees 29 minutes
West 325.17 feet and thence run-
ning parallel with and distant 100
feet measured northeasterly at right
angles from the northeast side of
Potomac Avenue, North 60 degrees
31 minutes East 570.60 feet to the
place of beginning.
Containing 18.40 Acres of land
more or less.
Being the property of William
Black as shown on plat filed
with the Zoning Department.
Hearing Date: Wednesday, Sep-
tember 8, 1981 at 10:00 A.M.
Public Hearing: 218 Court House,
Towson, Maryland.
By Order Of
WILLIAM T. MACKETT,
Chairman, County Board of
Appeals of Baltimore County
AUG 20

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 20, 1981
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., August 19, 1981
on one time, successive weeks before the 20th
day of September, 1981, the next publication
appearing on the 20th day of August,
1981.

THE JEFFERSONIAN,
L. Frank Shuster
Manager.

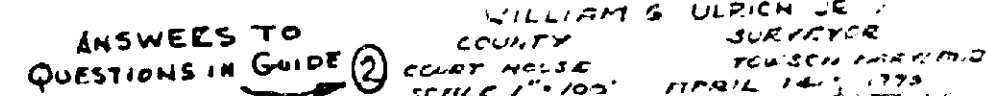
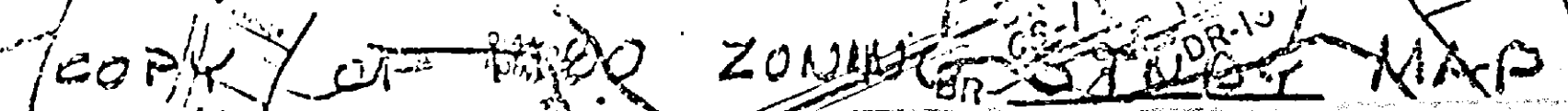
Cost of Advertisement, \$ _____

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 100443
DATE: August 11, 1981 ACCOUNT: 01-662
AMOUNT: \$50.00
RECEIVED BY: William Black
FROM: _____
FOR: Filing Fee for Case #R-82-63
VALIDATION OR SIGNATURE OF CASHIER

Petition For
Re-Classification
15TH DISTRICT
ZONING: Petition for
Reclassification
LOCATION: Southwest side of Con-
rail Railroad on S/S of Windlass
Freeway and NE end of Philadel-
phia Avenue
DATE & TIME
Wednesday, September 8,
1981 at 10:00 A.M.
PUBLIC HEARING:

R-82.63

W. H. R.



122' FROM E POTOMAC AVENUE

BEGINNING ZONING PHASE

15TH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

CHORD N 43°-48'-59" E
Radius 66.5112

PHILADELPHIA AVENUE

POTOMAC AVENUE

CHESAPEAKE DR 5.5
N 60°31' W 570.60

570.60

PHILADELPHIA AVENUE

PHILADELPHIA AVENUE

N 76°-58'-40" E 44.23

N 75°-50' E 36.11

210

N 60°10' E 162.35

200

WINDLASS FREEWAY
SRC. PL 11538102, 38103, 38104
Radius 2107.86

N 51°-51'-12" E

697.02

700.23

N 41°-09'-30" E 87.61

132.00

57°30' W

516°00' 37.45

CREEK

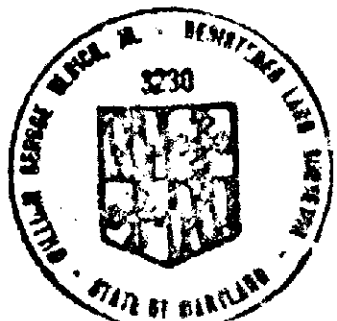
NORTH

EAST

SCALE 1"=100' MARCH 2, 1981

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 Delaware Avenue
TOWSON, MARYLAND 21204

PLAT TO ACCOMPANY RECLASSIFICATION
PRESENT ZONING RC 2 & ML-IM
HYPOTHEZED ZONING DR 5.5
AREA OF SITE IS 40 ACRES
15TH ELECTION DISTRICT
5TH COUNCILMAN'S DISTRICT



William S. Ulrich Jr.

